

**FILED**

MAR 13 2007

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN FRANCES GRIFFIN,

Defendant.

No. CR 06-00365 CW

~~[PROPOSED]~~ ORDER

~~FILE UNDER SEAL~~

On the motion of the defendant pursuant to rule 17(b) and (c) of the Federal Rules of Criminal Procedure, and good cause appearing therefore,

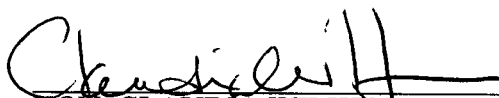
IT IS HEREBY ORDERED that the following subpoenas issue for the specified records from the Custodians of Records for MBV Law, LLP; Tharpe & Howell, Esq.; Bever, Hoffman & Harms LLP; Gordon Rees; DeMeo & DeMeo; and Martin Triano ~~and from the Custodian of Records for the California Department of Justice~~, and that the fees and expenses associated with production of the materials so subpoenaed shall be paid as if subpoenaed by the government.

IT IS FURTHER ORDERED that the subpoenas allow the option of the production of the material to the Federal Public Defender on or before April 9, 2007.

IT IS FURTHER ORDERED that the Ex Parte Application and Declaration in Support of Order Authorizing Indigent Subpoena Under Rule 17(b) and (c), Federal Rules of Criminal Procedure; ~~and [Proposed] ORDER~~ be SEALED pending further order of the court.

DATED:

MAR 13 2007

  
HON. CLAUDIA WILKEN  
United States District Judge

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

United States

V.

John Francis Griffin

**SUBPOENA TO PRODUCE  
DOCUMENTS OR OBJECTS  
IN A CRIMINAL CASE**

Case Number: CR 06-00365 CW

TO: Gordon Rees  
Law Firm

YOU ARE COMMANDED to produce at the place, date, and time specified the document(s) or object(s) indicated below. If compliance would be unreasonable or oppressive, you may file a motion requesting the court to quash or modify the subpoena, to review the documents *in camera*, or to permit production only pursuant to a protective order.

## PLACE

<input type="checkbox"/> United States Courthouse 450 Golden Gate Avenue San Francisco, CA 94102	<input type="checkbox"/> United States Courthouse 280 South First Street San Jose, CA 95113	<input checked="" type="checkbox"/> United States Courthouse 1301 Clay Street Oakland, CA 94612
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## COURTROOM/JUDGE

Courtroom 2  
Hon. Claudia Wilken

## DATE AND TIME

April 9, 2007  
2:30 PM

If the document(s) or object(s) are produced in advance of the date specified, either to the court in an envelope delivered to the clerk's office or to the issuing attorney whose name and address appears below, no appearance is necessary.

The following document(s) or object(s) shall be produced:

See ATTACHMENT A

NOTE: Parties requesting a subpoena requiring the appearance of a witness to testify at a criminal proceeding or to testify and bring documents to a criminal proceeding, must use Form CAND 89A, *Subpoena to Testify in a Criminal Case*. Forms are available at the Court's Internet site: <http://www.cand.uscourts.gov>.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

Richard W. Wieking

(By) Deputy Clerk




DATE

March 7, 2007

ATTORNEY NAME, ADDRESS AND PHONE NUMBER:

Joyce Leavitt, Assistant Federal Public Defender

555-12th Street, Suite 650

Oakland, CA 94607

(510) 637-3500

Investigator: Frank Tamburello

CAND 89B (Rev. 1/06) Subpoena to Produce Documents or Objects in a Criminal Case

**PROOF OF SERVICE**

RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		FEES AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO    AMOUNT \$ _____
SERVED BY (PRINT NAME)		TITLE

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

**ADDITIONAL INFORMATION**

ATTACHMENT A

All documentation, including correspondence (written, electronic and oral), memoranda, reports, notes, billing statements and other items reflecting any discussions, during the period from January 2004 until May 2006 between attorneys from Gordon Rees and (a) personnel from VaporTech, Inc. and/or Goodfield Energy Corporation regarding applicable tax laws, tax filing requirements, potential tax shelters, and other tax-related issues relating to VaporTech, Inc. and/or Goodfield Energy Corporation and (b) John Frances Griffin, individually, regarding applicable tax laws, tax filing requirements, potential tax shelters, and other tax-related issues relating to his personal filing of taxes.